# TRAINING SPECIFICATIONS FOR THE INVESTIGATION AND TRIAL PREPARATION COURSE

January 1, 2007

Specifications are compiled and issued by the California Commission on Peace Officer Standards and Training

## CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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## Learning Domains and Course Hours

Learning Domain Don	main Description	Minimum Hours
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# 90	DNA Collection and Usage	
# 91	Juvenile Process	
# 92	Interview and Interrogation Update	
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	Minimum Instructional Hours	76
A	Administrative Time	2
	Presenter-developed Comprehensive Exam & Review	
	Total Minimum Required Hours	80

## SPECIFICATIONS FOR LEARNING DOMAIN #70 ROLE AND AUTHORITY OF THE DISTRICT ATTORNEY INVESTIGATOR

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I LEARNING NEED

Students need to know and understand the role and authority of the District Attorney Investigator.

- A. <u>Identify Cconstitutional and statutory authority and mandates, including:</u>
  - 1. State Constitution
  - 2. Government Code
  - 3. Penal Code
  - 4. Business and Profession Code
  - 5. Family Code
  - 6. Civil Code
  - 7. Election Code
  - 8. Case law
  - 9. Subpoena power and additional authorities
- B. <u>Discuss the Hhistory and authority of the District Attorney Investigator</u>
- C. Identify the Perole and duties/functions of the District Attorney Investigator, including:
  - 1. Pre/post complaint investigation
  - 2. District Attorney Investigator vs. general law enforcement function
  - 3. Distinction between "investigating" a case and "making" a case for criminal purposes
- D. <u>Identify the Wworking relationships with:</u>
  - 1. DA/Legal staff
  - 2. Law enforcement community
  - 3. Legal community

News media

4.

III.

IV.

V.

VI.

VII.

**REVISION DATE** 

Effective 30 days after filing with the Secretary of State

5. General public E. Discuss the Common ethical issues encountered by the District Attorney Investigator, including: **Discovery** 2. Conflict of interest 3. Contact with defendants represented by counsel 4. Confidentiality 5. Political activities 6. Ex parte communication with Judges 7. Contact with witnesses and Informants 8. Agent of Attorney (state bar rules apply) Recognize Rrehabilitations/pardons F. REQUIRED TESTS The presenter-developed comprehensive test will include items from this domain. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES None The student will participate in one or more learning activities that address contemporary or emerging issues relevant to the role and authority of a District Attorney Investigator. HOURLY REQUIREMENTS Students shall be provided with a minimum of 68 hours of instruction on the role and authority of the district attorney investigator. ORIGINATION DATE January 1, 2002

## SPECIFICATIONS FOR LEARNING DOMAIN #71 COURT PROCESSES, MOTIONS, GRAND JURY

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need an understanding and working knowlege to know and understand of court criminal processes and procedures, and the role and authority of the Grand Jury.

- A. <u>Give examples of the Hinvestigator's role in:</u>
  - 1. Charging
  - 2. Defendant's appearance in court
  - 3. Preliminary hearing (including Proposition 115)
  - 4. Superior court arraignment
  - 5. Pre-trial motions including:
    - a. Bail
    - b. Discovery
    - c. Motions in Limine
  - 6. Disposition without trial
  - 7. Trial
  - 8. Post-trial motions
  - 9. Death penalty phase trial
  - 10. Jury verdict impeachment
  - 11. Post-sentence motions
  - 12. Certificates of Rehabilitation [P.C. 1203.4(a)]
  - 13. Lifer hearings
- B. Recall the Rrole and authority of Grand Juries, including:
  - 1. Tactical considerations
    - a. Oversight role

- b. Investigative vs. indictment
- 2. Selection process/composition
  - a. Background investigations
- 3. Confidentiality
- 4. Subpoenas/SDT
- 5. Indictments
- 6. Accusation

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on the court process, motion and grand juries.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #72 CIVIL PROCESS

January 1, 2002

<del>I.</del>	LEARNING NEED
	Students need to understand and have a working knowledge of civil process and procedures.
<del>II.</del>	LEARNING OBJECTIVES
	A. Civil processes available to the investigator, including:
	1. Code of Civil Procedure
	a. Inspection warrants
	b. Depositions
	2. Summons process and service
	3. Subpoena/ SDT process and service
	4. Penalties and remedies
	5. Administrative processes
	6. Civil subpoena fee requirements for peace officers
<del>III.</del>	REQUIRED TESTS
	The presenter developed comprehensive test will include items from this domain.
IV.	Required INSTRUCTIONAL ACTIVITIES
	None
<del>V.</del>	HOURLY REQUIREMENTS
	Students shall be provided with a minimum of 2 hours of instruction on the civil process.
VI.	Origination Date
	January 1, 2002

## SPECIFICATIONS FOR LEARNING DOMAIN #73 CONCEPTS OF EVIDENCE, SEARCH, AND SEIZURE

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need an understandingto know and understandworking knowledge of concepts and admissibility of evidence, including search and seizure.

- A. <u>Explain how the Application of Evidence Code applies in the following:</u>
  - 1. Corroboration
  - 2. Impeachment
  - 3. Admissibility of rebuttal evidence
  - 4. Prior statements/testimony
  - 5. Privileges/in camera hearings
  - 6. Hearsay and exceptions
  - 7. Best evidence
  - 8. 1538 Evidence Code- Prior identification by witnesses
  - 9. 353 Evidence Code
  - 10. Co-Defendant Statements (e.g., Aranda)
  - 11. 402 Hearing
- B. <u>Describe the Ttypes</u>, appropriate uses, and affidavit construction of search and arrest warrants, including legal aspects of service and return, for the following:
  - 1. Contingency Warrants
  - 2. Surreptitious Entry Warrants
  - 3. Sealed
  - 4. Steagald
  - 5. Skelton

Telephonic search warrants

6.

	7.	Telephone records searches
	8.	Pin registers (DNR)
	9.	Special Masters
	10.	Extensions of time
	11.	Ramey Warrants
	12.	Code of Civil Procedures 187
	13.	Unlawful flight to avoid prosecution (UFAP)
	14.	Extradition
	15.	Rendition
	16.	Body attachments
	17.	Wire tap
C.	Disci	uss <u>C</u> current legal issues involving search and seizure laws concerning the following:
	1.	Consent
	2.	Vehicle
	3.	Persons
	4.	Buildings
	5.	Containers
D.	Ident	ify Llegal aspects of physical evidence, including:
	1.	Chain of custody and authentication
	2.	Body evidence
	3.	Handwriting exemplars and directed writings
	4.	Release and/or other disposition of evidence
III. REQ	UIRE	D TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. REQUIRED INSTRUCTIONALLEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on concepts of evidence, search, and seizure.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #74 INVESTIGATIVE AND SURVEILLANCE TECHNIQUES

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and an understanding of various investigative techniques, including sources of information, investigative tools, use of surveillance equipment, and interviewing.

- A. Describe the Legal limitations and procedures for obtaining records information from:
  - 1. Public agencies
    - a. State and Federal Public Information Act
  - 2. Private agencies
    - a. Right to Financial Privacy Act (Government Code)
- B. <u>List the Information and services available from the following information sources and commercial on-line systems:</u>
  - 1. DMV off-line services
  - 2. Law Enforcement Intelligence Unit (LEIU)
  - 3. DOJ off-line services
  - 4. CDC Law Enforcement Automated Data Service (LEADS)
  - 5. FBI off-line services
  - 6. Internet
  - 7. On-line public records databases (e.g., Choice Point, Lexus Nexus, West Law)
  - 8. Megan's Law
  - 9. Technology to Recover Abducted Kids (TRAK) System
- C. <u>Explain the Pprovisions of the Education Code concerning access to students and school records</u>

D.

1.

2.

3.

4.

<u>Identify the Llegality</u> and use of:

Electronic surveillance

Voice stress analysis

Hypnosis

Polygraph

E.	Give	e examples of Pphysical evidence techniques, including:
	<del>1</del> .	Genetic Fingerprinting (DNA Analysis)
	<u>21</u> .	Cal ID
	<u>32</u> .	Cal Photo
	4 <u>3</u> .	Audio/video enhancements
	<u>54</u> .	Public and private sources
F.	Disc	euss Llegal and practical concerns related to:
	1.	Recordings (audio/visual/digital)
		a. Interviews
		b. Surreptitious
	2.	Preservation of notes/recordings
	3.	Miranda update
G.	Desc	cribe Pprocedures for conducting a line-up, including:
	1.	Live and video line-up (including Evans)
	2.	Photo line-up
	3.	Object identification (guns, hats, clothing, etc.)
Н.	Disc	euss Mmajor case management techniques
	1.	Voluminous evidence issues
	2.	Multiple victims/defendants/jurisdiction
	3.	Organizational systems

## III. LEARNING OBJECTIVES

- A. Discuss the importance of conducting lawful, safe and effective surveillance operations
- <u>B.</u> Recall the legal issues associated with surveillance, including:
  - 1. Lawful intrusion into areas where an expectation of privacy exists
  - <u>2.</u> <u>Creation of law enforcement files</u>
    - a. Surveillance log
  - 3. Wiretaps (confidential communications)
  - 4. Application of traffic laws
- <u>C.</u> <u>List resources available to support a surveillance operation, including:</u>
  - 1. Aerial support
  - 2. DOJ resource pool

## **HIIV. REQUIRED TESTS**

The presenter-developed comprehensive test will include items from this domain.

## <u>IVV</u>. REQUIRED <u>INSTRUCTIONAL</u>LEARNING ACTIVITIES

None

## **₩VI. HOURLY REQUIREMENTS**

Students shall be provided with a minimum of  $4\underline{6}$  hours of instruction on investigative techniques.

## **YIVII**. ORIGINATION DATE

January 1, 2002

## VIII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #75 VICTIM, WITNESS AND INFORMANT MANAGEMENT

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know <u>and understand</u> the proper procedures to use when dealing with victims, witnesses, and informants.

- A. <u>Discuss Hissues related to the management of informants including:</u>
  - 1. "Jailhouse informants"
  - 2. Non-custodial defendants/informants
- B. Give examples of Llegal and practical issues in dealing with victims/witnesses, to include:
  - 1. Identification, location, and subpoenaing
    - a. Out of local area witness
      - (1) Uniform Witness Act
    - b. Witness from foreign countries
      - (1) Formal
      - (2) Informal
  - 2. Due diligence
  - 3. Background checks
  - 4. Dealing with reluctant/uncooperative victims/witnesses (e.g., bond and warrant, 878 et seq. and PC 1332 and CCP 1988)
  - 5. Victim/witness unit liaison
  - 6. Witness expenses and fees
  - 7. In-custody witnesses, including logistics
  - 8. Practical aspects of airline transportation /F.A.A. regulations
  - 9. Americans with Disabilities Act (ADA) considerations

- 10. Victim/witness transportation and coordination
- C. <u>Identify Llegal</u> and practical considerations in protecting witness, including:
  - 1. Witness Protecting Protection programs
    - a. Local
    - b. State
    - c. Federal
  - 2. Change of identity issues
  - 3. Intimidation issues
    - a. PC 136
- D. <u>Explain Mmethods</u> for selecting expert witness, including:
  - 1. Financial considerations
  - 2. Transcripts on prior testimony
- E. <u>Identify Eelements of a conditional witness examination (PC 1335 1362), including:</u>
  - 1. Video recordings
  - 2. Legal restrictions
- III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on victim, witness and informant management.

VI. ORIGINATION DATE

January 1, 2002

VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #76 TRIAL PREPARATION AND SUPPORT

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to-<u>understandknow</u> and <u>have a working knowledge of understand</u> the techniques of trial/case preparation and support.

- A. Critical analysis of Analyze case file reports to determine deficiencies and weaknesses
- B. Define Ppriors
  - 1. Three strikes
  - 2. PC 969(b) Prison priors
- C. <u>Identify Pprocedures for obtaining and/or preparing exhibits or demonstrations of evidence, including:</u>
  - 1. Demonstrative exhibits/models
  - 2. Photographs (including aerial photography)
  - 3. Audio/visual/digital
    - a. Editing
    - b. Filtering
  - 4. Diagrams
  - 5. Maps
  - 6. Computer generated exhibits (i.e., PowerPoint, LCD projectors)
  - 7. Jury considerations (i.e., comprehension and attention span)
- <u>D.</u> <u>Determine the <del>T</del>tactical role of the investigator during trial, including:</u>
  - 1. Investigating officer
  - 2. Jury selection
  - 3. Assist in formulation of trial strategy in consultation with the Deputy District Attorney

- 4. Solving unanticipated problems:
  - a. Interviews
  - b. Backgrounds
  - c. Equipment/videos
  - d. Physical evidence
  - e. Locating missing witnesses
  - f. Victim/witness security

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. REQUIRED INSTRUCTIONALLEARNING ACTIVITIES

The student will be required to review a case file and discuss possible investigative and trial strategies. Given a simulated case study or equivalent material provided by the presenter, the student will participate in one or more learning activities that address the review, strategies, analysis and tactical role of an investigator in trial preparation.

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **68\_hours** of instruction on trial preparation and support.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #77 FAMILY SUPPORT INVESTIGATIONS

### January 1, 2002

### I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of family support investigations.

## II. LEARNING OBJECTIVES

- A. Determination of paternity
- B. Failure to provide
- C. Welfare/public assistance
- D. Civil vs. criminal remedies
- E. Title IV D of the Social Security Act (Federal)
- F. Security of and access to records

## III. REQUIRED TESTS

The presenter developed comprehensive test will include items from this domain.

## IV, INSTRUCTIONAL ACTIVITIES

None

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on family support investigations.

## VI. ORIGINATION DATE

January 1, 2002

## SPECIFICATIONS FOR LEARNING DOMAIN #78 CHILD ABDUCTION INVESTIGATION

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and understand the legal aspects and investigative techniques of civil liabilities related to child abduction investigations.

## II. LEARNING OBJECTIVES

- A. <u>Identify Ccivil mandates and laws</u>
- B. Identify Ccriminal remedies
- C. <u>Describe Rrecovery</u> and placement of children
- D. Identify <del>I</del>international abductions
- E. Discuss <del>Ttreaties</del>
  - 1. Parental Kidnapping Prevention (PKPA)
  - 21. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
  - 32. Hague TreatyConvention on the International Aspects of Child Abduction
- F. Recognize potential civil liabilities for investigators

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

### IV. INSTRUCTIONAL LEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on child abduction investigations.

#### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #79 FINANCIAL CRIME AND PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and understand the legal aspects and investigative techniques of financial crime and public assistance fraud investigations.

- A. Recognize the crime elements of Linsurance fraud, including:
  - 1. Auto
  - 2. Workers Compensation
- B Consumer fraud
  - 1. Civil
  - 2. Criminal
  - 3. Regulatory
  - 4. Administrative
- B. Recognize the crime elements of real estate fraud
- C. Identify the legal aspects and investigative techniques involved in asset forfeiture
- D. Discuss theories of theft
- E. Identify the legal aspects and investigative techniques of securities law
- F. Recognize the elements for crimes against the elderly/dependent adults
- G. Recognize the elements for crimes involving Welfare Fraud
- H. Recognize the elements for crimes involving Identity Theft
- <u>I.</u> State the intent of Title IV A of the Social Security Act (Federal)
- J. Define Early Fraud
- K. Define Ongoing Fraud
- L. Identify the legal aspects and investigative techniques of child care program fraud

- M. Identify the legal aspects and investigative techniques of medical fraud
- N. Identify the legal aspects and investigative techniques for food stamp stings
- O. Identify the legal aspects and investigative techniques of internal theft

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. INSTRUCTIONAL LEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on financial crime investigations

## VI. ORIGINATION DATE

January 1, 2002

## VI. <u>REVISION DATE</u>

## SPECIFICATIONS FOR LEARNING DOMAIN #80 PUBLIC ASSISTANCE FRAUD INVESTIGATION

### January 1, 2002

### I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of public assistance fraud investigations.

## II. LEARNING OBJECTIVES

- A. Title IV A of the Social Security Act (Federal)
- B. Early Fraud
- C. Ongoing Fraud
- D. Child care program fraud
- D. Medi-Cal fraud
- E. Food stamp stings
- F. Internal theft

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. INSTRUCTIONAL ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on public assistance fraud investigations.

## VI. ORIGINATION DATE

January 1, 2002

## SPECIFICATIONS FOR LEARNING DOMAIN #81 CRIMES COMMITTED BY PUBLIC OFFICIALS/OFFICERS

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to <u>know and</u> understand the legal aspects and investigative techniques of crimes committed by public officials and public officers.

- A. Recognize the legal aspects and investigative techniques for Mmisconduct by public officials, public employees, candidates, and campaign workers, including:
  - 1. Political Reform Act
  - 2. Theft of public funds
  - 3. Bribery
  - 4. Conflict of interest
  - 5. Brown Act violations
  - 6. Government records crimes
- B. Recognize the legal aspects and investigative techniques for Ccrimes against the administration of justicejudicial process, including:
  - 1. Perjury
  - 2. Subornation of perjury
  - 3. Falsification of evidence
  - 4. Obstruction of justice
  - 5. Jury tampering
- C. Investigative Techniques
  - 1. P.C. 832.7 Access to peace officer records
- D. Crimes committed by peace officers
  - 1. Filing false reports
  - 2. Theft of evidence

- 3. Perjury4. Unlawful release of confidential records
- 5. Conflict of interest
- 6. Bribery
- 7. Weapons violations
- 8. Domestic violence
- 9. Worker's compensation fraud
- 10. Insurance fraud
- 11. Assault under the color of authority
- 12. Theft and embezzlement

### III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. INSTRUCTIONAL LEARNING ACTIVITIES

The student will be required to investigate a case, evaluate possible violations and report findings.participate in one or more learning activities that will identify actions to be taken during an investigation of crimes committed by public officials. At a minimum, the activity or combination of activities must address:

- 1. <u>Initial steps or techniques</u>
- 2. Evaluating possible violations
- 3. Establishing the elements of the crime(s)
- 4. Reporting findings

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on crimes committed by public officials.

#### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #82 SPECIAL VICTIM INVESTIGATIONS

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and understand the legal aspects and investigative techniques of special victim investigations.

- A. Recognize the legal aspects and investigative techniques for Eelder/dependent adult abuse (P.C. 368), including:
  - 1. Sexual
  - 2. Physical
    - <u>a.</u> Abuse
    - b. Neglect
  - 3. Emotional
  - 4. Financial
    - a. <u>Undue Influence</u>
  - 5. Mandated Reporting
- B. Recognize the legal aspects and investigative techniques for Cchild abuse, including:
  - 1. Sexual
  - 2. Physical
  - 3. Emotional
  - 4. Drug Endangered Children (DEC)
  - 5. Multidisciplinary Interview Team (MDIT)
  - 6. Sexually violent predators
  - 7. Mandated Reporting

- C. Recognize the legal aspects and investigative techniques for Ddomestic violence, including:
  - 1. Stalking
- D. Recognize the legal aspects and investigative techniques for Sexual assault, including:
  - 1. Adult
  - 2. Custodial
  - 3. Institutional
  - 4. Statutory rape prosecution (SRVP)

### E. Stalking

## III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. <u>INSTRUCTIONAL LEARNING</u> ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on special victim investigations.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #83 GANG ACTIVITY INVESTIGATION

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to <u>know and</u> understand the legal aspects and investigative techniques <u>of for gang-related</u> <u>activity investigations incidents</u>.

## II. LEARNING OBJECTIVES

- A. Recognize the legal aspects and investigative techniques for gang-related incidents to include:
  - A.1. Narcotics and dangerous drugs
  - B.2. Conspiracy
  - C.3. Witness intimidation
  - D.4. Jury tampering
  - E.5. Money laundering
  - F.6. Coordination with local/regional task forces
  - 7. Identifying characteristics and crime trends associated with criminal street gangs
  - 8. Counterfeiting
  - 9. Identity Theft
- B. State the intent of the Street Terrorism Enforcement Program (STEP)

## II. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. INSTRUCTIONALLEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on gang activity investigations.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE



## SPECIFICATIONS FOR LEARNING DOMAIN #84 OFFICER INVOLVED INCIDENTS

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to <u>know and</u> understand the legal aspects and investigative techniques <u>used in the investigation</u> of officer-involved incidents.

## II. LEARNING OBJECTIVES

- A. <u>Identify the role of the District Attorney Investigator in the investigation of officer-involved Fatalities fatal incidents</u>, including custodial deaths
- B. <u>Identify the role of the District Attorney Investigator in the investigation of officer-involved Uuse of excessive force (non-fatal) incidents</u>

## II. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. <u>INSTRUCTIONAL LEARNING</u> ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on officer-involved incidents.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #85 ENVIRONMENTAL CRIME <u>AND CONSUMER FRAUD</u> INVESTIGATIONS

January 1, 2002 Effective 30 days after filing with the Secretary of State

## I. LEARNING NEED

Students need to <u>know and</u> understand <u>civil process and procedures</u>, <u>and</u> the legal aspects and investigative techniques of environmental crime investigations.

- A. Recognize the legal aspects and investigative techniques for environmental crime incidents to include:
  - A.1. Spills
  - B.2. Intentional dumps
  - C.3. Illegal storage
  - D.4. Transportation issues
  - E.5. Safety considerations
  - F.6. Homicide vs. accident
  - 1.7. OSHA
  - G. Investigative techniques
  - H8. Evidence collection
  - <u>I.9.</u> Task force approach
- B. Recognize the legal aspects and investigative techniques for consumer fraud crimes to include:
  - 1. Civil
  - 2. <u>Criminal</u>
  - 3. Regulatory
  - 4. Administrative

## <u>C.</u> Explain the civil processes available to the investigator, including:

- 1. Code of Civil Procedure
  - a. Inspection warrants
  - b. Depositions
- 2. Identify the summons process and service
- 3. Identify the subpoena/ SDT process and service
- 4. Recall penalties and remedies
- 5. Identify the administrative processes
- 6. List the civil subpoena fee requirements for peace officers

### III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

## IV. INSTRUCTIONALLEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **24** hours of instruction on environmental <u>and</u> <u>consumer fraud crime investigations.</u>

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #86 INVESTIGATOR SAFETY

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and understand the safety considerations necessary for plainclothes investigators.

## II. LEARNING OBJECTIVES

- A. <u>Demonstrate Ssafety techniques specific to plainclothes investigators, including:</u>
  - 1. Arrest situations
  - 2. Serving court process (e.g., warrants, subpoenas, etc.)
  - 3. Search warrant service considerations
    - a. Planning
  - 4. Covering uniformed /plainclothes officers
  - 5. Identification issues
    - a. High-risk crime responses (e.g., burglary, robbery, etc.)
    - b. Tactical vs. plainclothes
  - 6. Prisoner Transportation
    - a. Restraint devices
    - b. Removal orders
  - 7. Personal and family safety considerations
  - 8. "Will to survive"

## III. REQUIRED TESTS

None

## IV. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 2 hours of instruction on investigator safety.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #87 SURVEILLANCE

## January 1, 2002

<del>I.</del>	LEARNING NEEDS	
		ents need an understanding and working knowledge of surveillance equipment and hiques.
<del>II.</del>	LEA	RNING OBJECTIVES
	Α.	Conducting lawful, safe and effective surveillance operations
	<del>B.</del>	Legal issues associated with surveillance, including:
		1. Lawful intrusion into areas where an expectation of privacy exists
		2. Creation of law enforcement files
		a. Surveillance log
		3. Wiretaps (confidential communications)
		4. Application of traffic law
	<del>C.</del>	Jurisdictional protocols
	<del>D.</del>	Conditions which impact surveillance operations, including:
	A	1. Vehicle
4		2. Driver
		3. Roadway
		4. Weather
		5. Traffic
	<del>E.</del>	Surveillance methods, including:
		1. Moving vs. static
		a. Pedestrian
		b. Vehicle
		2. Photographic/optical

		3. Vision enhancement (e.g., night vision devices)
		4. Auditory
	<del>F.</del>	Use, care, operations and capabilities of surveillance equipment, including:
		1. Optical
		2. Photographic
		3. Electronic equipment (e.g., body wires, bird dogs)
		4. Chemical samplers
	G.	Resources available to support a surveillance operation
		1. Aerial support
		2. DOJ resource pool
<del>III.</del>	REQ	PUIRED TESTS
	The j	presenter-developed comprehensive test will include items from this domain.
<del>IV.</del>	REQ	UIRED INSTRUCTIONAL ACTIVITIES
	None	
V	HOU	URLY REQUIREMENTS
	Stud	ents shall be provided with a minimum of 4 hours of instruction on surveillance.
VI.	ORIG	GINATION DATE
	Janu	ary 1, 2002

## SPECIFICATIONS FOR LEARNING DOMAIN #88 PROFESSIONALISM AND ETHICS

January 1, 2002 Effective 30 days after filing with the Secretary of State

#### I. LEARNING NEED

Students need to know and understanding of an investigator's professional, ethical and legal responsibilities.

- A. <u>Discuss</u> <u>Tthe duties and obligations</u> of a peace officer as described in the *Law Enforcement Code of Ethics*
- B. <u>Discuss Tthe duties and obligations of a peace officer as described in the canons of the Code of Professional Conduct and Responsibilities for Peace Officers</u>
- C. <u>Give Eexamples of and potential ramifications consequences of unethical and unprofessional conduct, including:</u>
  - 1. Verbal abuse, discourtesy or inappropriate language
  - 2. Discrimination/racism/sexual harassment
  - 3. Unlawful use of force
  - 4. Violation of a person's civil rights, including false arrest, unlawful detention and unlawful search/seizure
  - 5. Substance abuse
  - Misuse/compromise confidential information or privileged communications
  - 7. Theft or misappropriation of property or evidence
  - 8. Obstruction or miscarriage of justice, including falsification or destruction of official documents, perjury, planting false evidence, "Code of Silence", and non-enforcement of specific laws by personal choice
  - 9. Acceptance of gratuities
  - 10. Inappropriate off-duty behavior
  - 11. Converting on-duty contacts into off-duty relationships
- <u>D.</u> Explain why a peace officer (investigator) should respond to unethical and unprofessional conduct by another officer

<u>E.</u> <u>Discuss solutions to unethical and unprofessional conduct encountered by an investigator.</u>

## III. REQUIRED TESTS

None

## IV. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES

The student will participate in one or more learning activities be required that demonstrate the ability to critique a series of reenactment/descriptions of possible unethical or unprofessional conduct by an investigator. At a minimum, each activity or combination of activities must and will be required to include a discussion of the legal, professional and community relations consequences of the behavior.

## V. HOURLY REQUIREMENTS

The students shall be provided with a minimum of **4 hours** of instruction on ethics and professionalism.

### VI. ORIGINATION DATE

January 1, 2002

### VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #89 HIGH TECH CRIMES AND COMPUTER

January 1, 2002 Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to become familiaran understanding and working knowledge of with computers, their use and using computers as an investigative tools and methods of gathering evidence into investigate high tech crimes.

- A. <u>List</u> <u>C</u>computer system components
- B. <u>Identify</u> <u>Computer storage devices</u>
- C. <u>Identify</u> Computer peripheral devices
- D. <u>Discuss</u> <u>Cc</u>omputer crimes in the United States
- E. <u>Give examples of Mmajor groups of computer crime, including:</u>
  - 1. Crimes where the computer is the target of criminal activity
  - 2. Crimes where a computer is the instrumentality of the crime
  - 3. Crimes where the computer is a repository of evidence in criminal cases
- F. Identify Categories of computer crimes, including:
  - 1. Insider crimes
  - 2. Support of criminal enterprises (e.g., counterfeiting)
  - 3. Malicious hackers
  - 4. Telecommunications fraud
  - 5. Computer contaminations
  - 6. Child pornography
  - 7. Hate crimes
  - 8. Espionage
- G. Define Internet crime

- H. <u>Identify the use of Ssearch warrants and searches of computer data and equipment</u>
   I. <u>Recognize appropriate methods of Sseizure of computer data and equipment</u>
- J. <u>Identify Llegal</u> aspects, evidence collection and investigative techniques of high tech crime investigations, including
  - 1. Use of computer to commit traditional crimes
  - 2. Unauthorized access or use of computers (PC 502)
  - 3. Theft of computer data
  - 4. Cell phone fraud
  - 5. Intellectual property
  - 6. Trade secrets
- K. <u>Explain</u> <u>Cc</u>apabilities and advantages of using computers as an investigative tool, including:
  - 1. Spreadsheets
  - 2. Database
  - 3. Graphics
    - a. Visual Investigation Analysis (VIA)
    - b. Link analysis
    - c. Digital photography
    - d. Plotter
    - e. Scanners
  - 4. Document storage and retrieval
- III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL LEARNING ACTIVITIES

None

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of  $\mathbf{6} \mathbf{4}$  hours of instruction on high tech crimes and computers.

## VI. ORIGINATION DATE

January 1, 2002

## VII. REVISION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #90 DNA COLLECTION AND USAGE

Effective 30 days after filing with the Secretary of State

### <u>I.</u> <u>LEARNING NEED</u>

Students need to know the applicable law and understand the methods for collection and use of DNA samples in the criminal justice system.

### II. LEARNING OBJECTIVES

- A. Discuss the purpose of DNA in the criminal justice system, including:
  - 1. Use as evidence to identify, arrest, convict, or exonerate individuals
- B. Explain the impact of DNA evidence on the duties performed by a District Attorney Investigator
- C. Recognize the legal protocols (e.g., PC 296 et seq) for the collection, preservation and use of DNA samples, including:
  - 1. Differentiate evidence versus collection
- D. Demonstrate appropriate collection of DNA (e.g., buccal swab sample) using an approved DNA collection kit
- E. Explain the process of submitting a DNA sample for lab analysis
- F. <u>Identify systems and databases that maintain DNA profiles and the types of information provided</u>
- G. Recognize the minimum information required for generating an inquiry into the systems and databases that maintain DNA profiles

## III. REQUIRED TESTS

None

## IV. REQUIRED LEARNING ACTIVITIES

The student will participate in one or more learning activities that demonstrate the ability to identify the components of an approved DNA collection kit, intended uses and how to submit a collected sample.

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on genetic fingerprinting (DNA).

## VI. ORIGINATION DATE



## SPECIFICATIONS FOR LEARNING DOMAIN #91 JUVENILE PROCESS

Effective 30 days after filing with the Secretary of State

## I. LEARNING NEED

Students need to know and distinguish the differences between juvenile and adult processing in the criminal justice system

## II. LEARNING OBJECTIVES

- A. Differentiate the legal requirements for processing of juveniles versus adults including:
  - 1. Qualifying offenses
  - 2. Differences between adult criminal system and juvenile court law
- B. Recognize the conditions when admonishment of a juvenile's rights is or is not required
- C. Recognize the conditions when a District Attorney Investigator must seek a waiver of a juvenile's rights
- <u>D.</u> <u>Distinguish the difference between juvenile and adult subpoena service, terms of probation and hearings</u>
- E. Recognize the situations in which a juvenile can be taken into temporary custody due to habitual disobedience or truancy
- <u>F.</u> Explain the options available to a District Attorney Investigator for access to juvenile records

#### III. REQUIRED TESTS

None

## IV. REQUIRED LEARNING ACTIVITIES

The student will participate in one or more learning activities regarding application of law to a facts specific circumstance to illustrate juvenile processing. At a minimum, the activity or activities must address filing, admonishment, subpoena service and access to records.

## V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on the juvenile process.

## VI. ORIGINATION DATE

## SPECIFICATIONS FOR LEARNING DOMAIN #92 INTERVIEW AND INTERROGATION UPDATE

Effective 30 days after filing with the Secretary of State

### I. LEARNING NEED

Students need to know and understand effective practices in the application of interview and interrogation techniques for trial preparation.

### II. LEARNING OBJECTIVES

- A. Differentiate between an interview and interrogation
- B. Give examples when Miranda admonishments must be given
- C. Describe the purpose and limitations of an interrogation
- D. Differentiate between an admission and confession
- <u>E.</u> <u>Demonstrate appropriate techniques in the utility of interviews and interrogations, to include:</u>
  - 1. Cognitive interviewing
  - 2. Documentation
  - 3. Admonishments (e.g., Miranda, Beheler)
  - 4. Implications for trial preparation
- F. Discuss the relationship between the District Attorney Investigator and the Deputy District Attorney regarding investigations and trial preparation.

## III. REQUIRED TESTS

None

### IV. REQUIRED LEARNING ACTIVITIES

The student will participate in one or more learning activities that will demonstrate interview and interrogation techniques in a real-time setting. At a minimum, the activity or activities must address, cognitive interviewing and documentation.

### V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on interview and interrogation update.

## VI. ORIGINATION DATE

